GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue (P&E) Department – Disciplinary proceedings initiated against Sri G.Dwarakanath, Retired Asst. P&ES, Guntur on the allegations of criminal misconduct – Order dated 29.01.2021 passed by the High Court in W.P.No.870 of 2021 – Implemented - Orders dt. 12.07.2022 passed by the High court in W.A.No.383 of 2022 - Modified order dated 29.01.2021 passed in W.P.No.870 of 2021 - Reduced the rate of interest from 12% p.a. to 9% p.a. on the retirement benefits - Modification – Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No.721 **Dated:09-09-2022**

Read the following:

1. G.O.Rt.No.171, Rev (Vig.IV) Dept., dated.15.03.2022.
2. Order dt. 12.07.2022 passed by the Hon'ble High court in W.A.No.383 of 2022.

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ORDER:

Whereas, three Inquiries under rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 were being held against Sri G.Dwarakanath, Retired Assistant Prohibition & Excise Superintendent, Guntur on the allegations of criminal misconduct;

2. And whereas, the said Sri G.Dwarakanath fled three Writ Petitions (W.P.Nos. 14565, 14566 & 14567 of 2019) and the Hon'ble High Court passed orders dt. 25.09.2019 in those Writ Petitions, directed to conclude the enquiries pending against him, within a period of three months from the date of receipt of copies of the orders, failing which the charge memos shall stand quashed;

3. And whereas, Government have fled Writ Appeals (W.A.Nos. 470, 476 & 456 of 2021) against the orders dt.25.09.2019 in the said Writ Petitions and the High Court on 16.09.2021 dismissed those Writ Appeals;

4. And whereas, the said Sri G.Dwarakanath has again fled W.P.No.870 of 2021 and the Hon'ble High Court passed an order dt.29.01.2021 as follows (operative portion):

> "In the result, the writ petition is allowed granting writ of Mandamus, declaring the action of the respondents is illegal, arbitrary and violative of Articles 21 and 300A of the Constitution of India and the 1st respondent is directed to fix the pension payable to the petitioner and pay the retirement benefits such as full pension, retirement gratuity, encashment of Earned Leave and other benefits to the petitioner together with interest at 12% from the date they become due till the date of payment";

5. And whereas, orders were issued in the reference 1st read above in compliance with directions of the High Court and accorded sanction to pay the retirement benefits such as full pension, retirement gratuity, encashment of Earned Leave and other benefits together with interest at 12% from the date they become due till the date of payment to Sri G.Dwarakanath, Retired Assistant Prohibition & Excise Superintendent, Guntur, subject to outcome of the Writ Appeals filed;

6. And whereas, Government fled Writ Appeal (W.A.No.383 of 2022) against W.P.No.870 of 2021 and the Hon'ble High Court passed the following order dt.12.07.2022 in the said W.A. (operative portion):

Contd.,2

"the Writ Appeal is partly allowed modifying the order impugned, dated 29.01.2021, passed in W.P.No.870 of 2021 while reducing the rate of interest from 12% p.a. to 9% p.a. on the retirement benefits of the respondent no.1/petitioner from the date they become due till the date of realization."

7. Government after careful examination of the matter, therefore, implement the order dt.12.07.2022 passed in Writ Appeal No.383 of 2022 and accordingly modify the earlier orders issued in the reference 1st read above, while reducing the rate of interest from 12% p.a. to 9% p.a. on the retirement benefits due to Sri G.Dwarakanath, Retired Assistant Prohibition & Excise Superintendent, Guntur.

8. The Commissioner, Prohibition and Excise shall take further necessary action expeditiously in the matter.

9. This order issues with the concurrence of the Finance Department vide their U.O. No: FIN01-HR0MISC/p98/p2022-HR-III in Computer No: 1808395

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

To
Sri G.Dwarakanath, Retired Assistant Prohibition & Excise Superintendent, Guntur through the Commissioner, Prohibition & Excise, Andhra Pradesh, Vijayawada.
The Commissioner, Prohibition & Excise, Andhra Pradesh, Vijayawada.
Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, A.P., Vijayawada.
Sf/Sc.

//FORWARDED :: BY ORDER//

R. Vijaykrishna
SECTION OFFICER